

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Lamarr Washington,

Petitioner,

v.

Case No. 1:11cv269

Warden, Lebanon Correctional  
Institution,

Judge Michael R. Barrett

Respondent.

**ORDER**

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on February 13, 2012 (Doc. 11).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 11) of the Magistrate Judge is hereby **ADOPTED**. The Respondent's Motion to Dismiss (Doc. 6) is **GRANTED**. The Petitioner's Petition (doc. 3) for writ of habeas corpus pursuant 28 U.S.C. § 2254 is **DISMISSED** with prejudice on the ground it is time-barred under 28 U.S.C. § 2244(d).

A certificate of appealability and any application by petitioner to proceed on appeal *in forma pauperis* should be denied consistent with the Report and Recommendation (Doc. 11) by the Magistrate Judge.

**IT IS SO ORDERED.**

S/Michael R. Barrett  
Michael R. Barrett  
United States District Judge